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PAGE 01 STATE 199965

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SUBJECT: RUSK TESTIMONY ON NPT

1. SINCE SECRETARY RUSK'S TESTIMONY TODAY WILL BE OF INTEREST TO FRG, FOLLOWING BASED ON NOTES (TRANSCRIPT NOT YET AVAILABLE) BUT PROVIDED FOR YOUR BACKGROUND INFORMATION. SECY READ INTO RECORD TEXT OF INTERPRETATIONS OF ARTICLES I AND II, STATING: "BEFORE ANY OTHER SUBSTANTIVE ARTICLES HAD BEEN ADDED, THE UNITED STATES ALLAYED SOME OF THE CONCERNS OF OUR NATO ALLIES ABOUT THE TREATY BY GIVING THEM THE FOLLOWING ANSWERS TO QUESTIONS THEY HAD POSED."

2. SENATOR CASE EXPRESSED CONCERN THAT THE SENATE'S CONSENT TO THE TREATY NOT BE TAKEN AS SENATE AUTHORIZATION TO THE

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PRESIDENT TO EMPLOY US ARMED FORCES (WITHOUT FURTHER CONGRESSIONAL AUTHORIZATION) TO PROTECT A NON-NUCLEAR PARTY FROM NUCLEAR AGGRESSION PURSUANT TO UNSC RES ON SECURITY ASSURANCES. SECY RUSK MADE CLEAR THAT NEITHER NPT NOR UNSC RES WOULD CHANGE PRESENT RELATIONSHIP BETWEEN PRESIDENT AND CONGRESS. HE DESCRIBED EXECUTIVE BRANCH VIEW OF CONSTITUTIONAL POWER OF PRESIDENT WITH RESPECT TO US ARMED FORCES.

3. SENATOR CASE REFERRED TO PRESS REPORTS ON CHANCELLOR KIESINGER'S STATEMENTS ON NPT LAST WEEK. THESE REPORTS SUGGESTED FRG WOULD ASK FOR NEW COMMITMENT RE PROTECTION AGAINST NUCLEAR BLACKMAIL. SECY RUSK SAID REPORTS WERE NOT ACCURATE. HE ADDED THAT IF NORTH ATLANTIC TREATY WERE TO COME TO AN END (WHICH WE DID NOT ANTICIPATE) ALL OF US WOULD HAVE TO LOOK TO THE PROBLEM AND PLAN OUR NEXT MOVES. HE READ THE PRESIDENT'S JULY 1 STATEMENT OF THE US "COMMITMENT TO HONOR ALL OUR OBLIGATIONS UNDER EXISTING TREATIES OF MUTUAL SECURITY." HE MADE CLEAR THAT THE

ADMINISTRATION WOULD NOT ENTER INTO ANY NEW SECURITY COMMITMENT WITHOUT COMING TO THE SENATE. IN RESPONSE TO REPEATED QUESTIONING BY SENATOR CASE, HE SAID ADMINISTRATION HAD NO INTENTION OF MAKING ADDITIONAL SECURITY COMMITMENT IN ORDER TO OBTAIN FURTHER NPT SIGNATURES. HE INDICATED NORTH ATLANTIC TREATY COULD NOT POSSIBLY BE AMENDED WITHOUT SENATE ACTION.

4. NO OPPOSITION TO NPT WAS EXPRESSED BY ANY SENATOR. THERE WAS GENERAL EXPRESSION OF APPRECIATION BY SENATORS OF BOTH PARTIES FOR ACHIEVEMENT OF ADMINISTRATION IN NEGOTIATING THE TREATY.

(FYI WE ARE CABLING LETTER FROM SECRETARY TO NATO FOMINS INCORPORATING TEXT SECY'S STATEMENTS ALONG WITH INTERPRETATIONS ON NPT ASAP. END FYI)

5. EMBASSY SHOULD CAUTION FRG AGAINST DRAWING CONCLUSIONS OR COMMENTING ON BASIS OF PRESS REPORTS IN ABSENCE OF FULL TEXT WHICH WE WILL SEND AS SOON AS WE CAN OBTAIN IT. RUSK

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